

(718) 694-3891  
(718) 694-5727 (facsimile)

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.

★ JAN 18 2006 ★

January 5, 2006

**BROOKLYN OFFICE**

**BY ELECTRONIC FILING**

Honorable Raymond J. Dearie  
United States District Judge  
U. S. District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *George v. New York City Transit Authority, Charles and Bartelli*  
04 CV 3263 (RJD) (MDG)

Dear Judge Dearie:

We represent defendant Transit Authority in the above-referenced action. The TA's motion for summary judgment is currently due on January 11, 2006. We write, on behalf of all of the parties, to adjourn defendants' time to submit their summary judgment motions.

There are currently three disciplinary actions pending against plaintiff. These actions, in part, form the basis of plaintiff's retaliation claim. One of the disciplinary cases has already been heard in arbitration, and the award is expected shortly. The TA and plaintiff's union have agreed that they will make every effort to arbitrate the remaining two actions by the end of February, anticipating that the arbitration awards will all be issued by the end of March.

Accordingly, the parties have conferred and respectfully request that the briefing schedule be adjourned pending the arbitration awards in the three outstanding disciplinary actions so that all pertinent issues may be addressed in the summary judgment motions. Anticipating that the arbitration awards will be received by late March, we propose the following revised briefing schedule, with oral argument to be set by the Court:

Hon. Raymond J. Dearie  
January 5, 2006  
Page 2

Defendants' motions due:	April 12, 2006
Plaintiff's opposition due:	May 24, 2005
Defendants' replies due:	June 16, 2005

This is the second request for an adjournment.

Thank you for your consideration in this matter.

Respectfully submitted,

Francine E. Menaker

cc: Beth Margolis (via facsimile)  
Mitchell Rutkin (via facsimile)

**RECEIVED**

**District Court, New York**  
*January 9, 2006*

s/Raymond Dearie

**RAYMOND DEARIE**  
**United States District Judge**